

J a
y a r
a m

Lawyers for Innovators

December 23, 2020

Via Electronic Filing

Judge Paul A. Engelmayer
United States District Court
40 Foley Square, Room 2201
New York, NY 10007

**Re: *Unicorn Crowdfunding, Inc. v. New Street Enterprise, Inc. et. al.*
18-cv-10110-PAE
Request on Consent For Leave to Engage in Limited Discovery and
For Adjournment of Pre-Trial Dates**

Dear Judge Engelmayer:

This firm represents Plaintiff and Counterclaim Defendant Unicorn Crowdfunding, Inc. (“Unicorn”) in the above captioned matter. Unicorn and Defendant/Counterclaim Plaintiff New Street Enterprise, Inc. (“Socialfix”) jointly submit this letter requesting that the Court reopen discovery for a limited purpose, and that the Court adjourn the deadline for filing pretrial filings and the February 5, 2020 pretrial conference by 60 days.

On December 17, 2020, the Court issued its Opinion and Order regarding the Parties’ Cross-Motions for Summary Judgment. (“Opinion,” Doc. 97). Concurrently, the Court set certain pretrial deadlines. (Doc. 98). Specifically, the Court ordered (1) that the Parties submit a proposed joint pretrial order and all other pretrial filings required by the Court’s Individual Rule 5.AB, including any motions in limine by January 8, 2021; (2) that the Parties file any opposition to motions in limine by January 22, 2021; and (3) that the Parties appear at a final pretrial conference on February 5, 2021 at 2:00 p.m., at which point a trial date will be set. (Doc. 98).

First, the Parties jointly request that the Court reopen discovery for the limited purpose of conducting discovery regarding events that took place after the deposition of Unicorn's co-founder, Brian Bodik. In the Court's Opinion, the Court stated that given "Unicorn's introduction of Bodik's declaration recounting post-deposition events, the Court would look favorably on a motion by Socialfix to reopen discovery for the limited purposes of deposing Bodik and obtaining document discovery solely as to these events." Opinion, p. 39 n. 19.

Following receipt of the Court's Opinion, On December 22, 2020 the Parties conferred regarding this matter. Socialfix requested that Unicorn produce certain documents referenced in Mr. Bodik's deposition and that Mr. Bodik, as well as Unicorn's other co-founder Michael Gelinas, be made available for depositions regarding events that took place after Mr. Bodik's initial deposition. Unicorn has agreed to Socialfix's requests and is willing to produce the documents sought by Socialfix and make Mr. Bodik and Mr. Gelinas available for deposition.

Second, in light of the Parties' request to reopen discovery for a limited purpose, the Parties jointly request that the Court adjourn the pretrial dates set in its December 17, 2020 order by 60 days. This request is also made because undersigned counsel has a trial beginning in the Circuit Court of Cook County on January 27, 2021 (*Graham v. Infinite Peripherals, Inc.*, Case No. 17-CH-12265). This is the first request to adjourn the pretrial dates made by either Party. The Parties believe that 60 days is sufficient time to complete the limited discovery discussed above and prepare pretrial materials in accordance with the Court's Individual Rule 5.AB.

Very truly yours,



Vivek Jayaram, Esq.
Counsel for Plaintiff/Counter-Defendant
Unicorn Crowdfunding, Inc.

Granted. The parties may conduct the limited supplemental discovery contemplated by the Court's December 17, 2020 decision, *see* Dkt. 97 at 39 n.19, and outlined above.

The parties' deadline to submit a joint pretrial order and other filings required by the Court's Individual Rule 5.A-B, including motions *in limine*, is extended to **March 9, 2021**. The deadline for any oppositions to motions *in limine* is extended to **March 23, 2021**. The final pretrial conference is hereby adjourned to **April 6, 2021, at 2:00 p.m.**

SO ORDERED.



PAUL A. ENGELMAYER
United States District Judge

December 23, 2020